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DECLARATION FOR PATENT APPLICATION

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As a below-named inventor(s), I/we hereby declare that:

My/Our residence(s), post office address(es) and citizenship(s) is/are as stated below next to my/our name(s).

I/We believe I/we am/are the original inventor, first and sole (if only one name is listed below) or the original, first and joint inventors (if plural names are listed below) of the subject matter which is claimed, and for which a patent is sought on the invention entitled:

DATA BACKUP AND RECOVERY SYSTEM

the specification of which: (check one)

☐ is attached hereto.☒ was filed on December 5, 2001, as Serial No. 09/980,619,

and was amended on _____ (if applicable).

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the patentability of this application as defined by 37 CFR ' 1.56.

We hereby claim foreign priority benefits under 35 U.S.C. ' 119 of any foreign application(s) for patent or inventor's certificate listed below, and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Applications:

Japanese Patent Appln. 111299/2000
(Application No.)JAPAN
(Country)12/April/ 2000
(Day/Month/Year Filed)Priority Claimed
☒ ☐
Yes NoJapanese Patent Appln. 094678/2001
(Application No.)JAPAN
(Country)29/March/ 2001
(Day/Month/Year Filed)☒ ☐
Yes No

We hereby appoint Gary M. Nath, Reg. No. 26,965; Harold L. Novick, Reg. No. 26,011; Todd L. Juneau, Reg. No. 40,669; Lee C. Heiman, Reg. No. 41,827; Jerald L. Meyer, Reg. No. 41,194; Joshua B. Goldberg, Reg. No. 44,126; Paul A. Sacher, Reg. No. 43,418; Nahied K. Usman, Reg. 47,148; Roger Hahn, Reg. No. 46,376; and Marvin C. Berkowitz, Reg. No. P-47,421; as my attorneys to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith.

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020529

PATENT TRADEMARK OFFICE

Send Correspondence to:

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We hereby claim the benefit under 35 U.S.C. ' 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by 35 U.S.C. ' 112, first paragraph, I/we acknowledge the duty to disclose material information as defined in 37 CFR ' 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

(U.S. Application Serial No.) (U.S. Filing Date) (Status--patented, pending, abandoned)

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Application Number(s)

Filing Date

Full name of sole or first inventor: Masaharu TAMATSU

Inventor's Signature:

Date:

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